

TEXT OF PROPOSED REGULATIONS

In the following, underline indicates added text and strikethrough indicates deleted text.

Section 3375.2 is amended to read:

3375.2 Administrative Determinants.

Subsection 3375.2(a) is unchanged.

Subsection 3375.2(b)(1) is unchanged.

Subsection 3375.2(b)(2) is amended to read:

(b)(2)ARS ~~Present or~~ Current, prior conviction, or a sustained juvenile adjudication,
as defined in subdivision (b)(25), for arson.

Subsection 3375.2(b)(3) to (b)(24) is unchanged.

Section 3375.2(b)(25) is amended to read:

(b)(25) Inmate has a current or prior conviction for a violent felony, or a sustained juvenile adjudication including, but not limited to, those listed under Penal Code Section 667.5(c), which, as determined by the CSR, requires placement in a facility with a higher classification level than indicated by the inmate's classification score.

(A) For the purposes of this subdivision, a sustained juvenile adjudication means a guilty determination or ruling rendered in a juvenile judicial proceeding.

(B) The following administrative determinations regarding allegations of violent acts, including but not limited to those offenses described in Penal Code Section 667.5(c), shall have the same force and effect as a current or prior conviction for a violent felony or a sustained juvenile adjudication:

1. Board of Prison Terms or Parole Hearings Division good cause finding, or;

2. California Youth Authority / Youthful Offender Parole Board sustained allegation

(C) A probation violation finding in a court of law involving, but not limited to those offenses described in Penal Code Section 667.5(c), shall have the same force and effect as a current or prior conviction in a court of law for a violent felony,

Subsection 3375.2(b)(26) and (b)(27) are unchanged.

NOTE: Authority cited: Section 5058, Penal Code. Reference: 5054 and 5068, Penal Code; and *Sandin v. Connor* (1995) 515 U.S. 472 *Madrid v. Gomez* (N.D. Cal. 1995) 889 F.Supp. 1146; *Wright v. Enomoto* (N.D. Ca. 1976) 462 F. Supp. 397; *Stoneham v. Rushen* (1984) 156 Cal.App.3d 302.